उत्तर प्रदेश शासन
पर्यावरण अनुभाग
संख्या-28/2016/2344/55-पर्या-2016-09(रिट)/2016
लखनऊ : दिनांक : 11 जुलाई, 2016

प्रभारी,
निकनेट सेल,
सचिव भवन, उ0प्र0 सचिवालय।

कृपया मा0 एन0जी0टी0, नई दिल्ली में विचाराधीन ओ0ए0 संख्या-21/2014 वर्धमान कौशिक बनाम यूनियन आफ इण्डिया व अन्य में पारित आदेश दिनांक 31-05-2016 के अनुपालन में शासन की ओर से मा0 एन0जी0टी0 में दाखिल किये गये प्रतिशपथ पत्र की छाया प्रति संलग्न करते हुए अनुरोध है कि कृपया उक्त प्रतिशपथ पत्र को शासनादेश संबंधी वेबसाइट पर ऑन लाईन अपलोड कराने का कष्ट करे।

संलग्नक- यथोक्त।

(उमेश चन्द्र)
अनु सचिव।

http://shasanadesh.up.nic.in

1- यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अत: इस पर हस्ताक्षर की आवश्यकता नहीं है ।
2- इस शासनादेश की प्रमाणिकता वेब साइट http://shasanadesh.up.nic.in से सत्यापित की जा सकती है ।

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

IN

ORIGINAL APPLICATION NO 21(OF 2014

In the matter of

VARDHAMAN KAUSHIK .....APPLICANT

VERSUS

UNION OF INDIA & ORS. .....RESPONDENTS

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2.	**Annexure No.1-** Copy of the report of **UPPCB** providing the ambient air quality of some cities	
3.	**Annexure No. 2-** A chart showing the details of various kinds of vehicles registered in five district of U.P.	

Dated: 7/2016

FILED BY

(ABHISHEK YADAV)
ADVOCATE-ON-RECORD
Supreme Court of India
Standing Counsel for State of U P
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9312342505

BEFORE THE NATIONAL GREEN TRIBUNAL: NEW DELHI

ORIGINAL APPLICATION NO. 21 OF 2014

IN THE MATTER OF:
VARDHAMAN KAUSHIK ..... APPLICANT

VERSUS

UNION OF INDIA & ORS. .....RESPONDENTS

AFFIDAVIT IN COMPLIANCE OF ORDER DATED 31.05.2016 ON BEHALF OF STATE OF U.P.

I, Sanjiv Saran, S/o Dr. B.S.Saxena, aged about 57 years, Principal Secretary, Environment and Forest, Government of U.P., Lucknow at present at New Delhi do hereby solemnly affirm and declare as under:-

1. That I in the abovenoted capacity am well conversant with the facts and record of the present case, hence am competent to swear this affidavit.

2. That the abovenoted case came up for hearing on 31.05.2016 when this Hon'ble Tribunal has directed as follows:

> "In the meanwhile we direct all the States particularly the 11 States which have been indicated in our previous order, to furnish an affidavit through the Secretary of the State Government, primarily indicating:-

NOTARY Rajendra Kumar Delhi Regd. No. 5760 Date of Expiry 27th April-2018 GOVT. OF INDIA

1. Names of two or more most polluted cities in the States.

2. Population of the two cities.

3. Road densities in the cities.

4. Vehicular population in the two cities/districts.

5. Source of pollution particularly dust emission, emission by burning of various materials and vehicular and industrial pollution.

6. Total number of vehicles diesel and petrol, separately.

7. Number of heavy and light vehicles.

8. Number of Two wheelers and three wheelers.

9. Ambient air quality of the two districts/cities.

10. Details and effects of industrial and mining pollution upon the ambient air quality of the districts.

11. The source apportionment of dust and other emission/pollution.

12. Pollution affecting the joining States.

Let the affidavit be positively filed within three weeks from today, with copies to all the Learned Counsels appearing in this case. Respective States Government would be at liberty to put their affidavits on their website so as to make it convenient to all the learned counsels to draw copies from it

List this matter for arguments and on that date we will pass appropriate directions. On the said date the States Governments shall also state whether it has any mechanism for condemning the vehicles of ten years of age.

List this matter on 11th and 12th July, 2016, as date of 11th July, 2016 has already fixed."

3. That in compliance of the said order present affidavit is being filed.

NOTARY
Rajendra Kumar
Delhi
Regd. No. 5780
Date of Expiry
27th April-2018
GOVT. OF INDIA

4. That as per the data provided by U.P. Pollution Control Board regarding the ambient air quality Varanasi and Hapur have been found most polluted in April. 2016 in respect of PM10. The said report of UPPCB is being enclosed herewith and marked as **Annexure-1.**

5. That as per official website of District Hapur the population of the city is 1328322 whereas the population of Varanasi is 3682194.

6. That road density of Hapur city is 18519 per square kilometer whereas road density of Varanasi is 12747 per square kilometer.

7. That total number vehicles in District Hapur is 56242 whereas in Varanasi 790983.

8. That the sources of pollution are mainly construction, movement of traffic, wind velocity and industrial pollution.

9. That total number of diesel vehicles in Hapur is 8574 and petrol vehicles 47668 whereas in Varanasi total number of diesel vehicles is 106399 and petrol vehicles 684584.

10. That total number of heavy vehicles in Hapur is 1202 whereas light vehicles are 10547 whereas in Varanasi total number of heavy vehicle is 41686 and light vehicles 116791.

11. That total number of two wheelers in Hapur is 43841 and three wheelers is 652 whereas in Varanasi total number of two wheelers is 634492 and three wheelers 29334. A chart showing the details of various kinds of vehicles registered in six district of U.P. i.e. Lucknow, Allahabad, Varanasi, Kanpur and Hapur is enclosed as **Annexure-2**.

NOTARY Rajendra Kumar Delhi 12 Regd. No. 5780 Date of Expiry 27th April-2018 GOVT. OF INDIA

12. That the ambient air quality of the aforesaid two districts has already been annexed in Annexure-1.

13. That as far as effect of industrial pollution is concerned since the values of Sulphur Dioxide (SO2) and Nitrogen Dioxide (NO2) are within norms, hence the effect of industrial pollution is minimum. There is no mining lease

in Varanasi and only one mining lease in village Poot, Tehsil Garhmukhteshwar has been granted by the State Government which is about more than 30 kilometers from Hapur city, hence the effect of mining pollution upon the ambient air quality of Hapur city is negligible.

14. That the main source regarding the high values of PM10 in ambient air is due to the movement of traffic and geographical condition i.e. loose earth etc. The variance of SO2 and NO2 are within norms which indicates that industrial emissions are controlled.

15. That since Varanasi and Hapur are situated within the State, hence there is no possibility of affecting the pollution the adjoining States.

16. That regarding the mechanism for banning the 10 years' old diesel vehicles a policy decision is to be taken by the State Government which is stil awaited.

17. That the above affidavit is being filed in compliance of directions issued by this Hon'ble Tribunal for its kind consideration.

DEPONENT

NOTARY
Rajendra Kumar
Delhi
Regd. No. 5780
Date of Expiry
27th April-2018
GOVT. OF INDIA

VERIFICATION:

The abovenamed deponent do hereby verify that the contents of above affidavit are true to my knowledge derived from official record. No part of the same is false and nothing has been concealed therefrom.

VERIFIED ON THIS THE 8 DAY OF JULY, 2016 AT NEW DELHI.

DEPONENT

RAJENDRA KUMAR, NOTARY, Reg No. 5780
F No.-5(486)
EMPOWERED TO ADMINISTER THE OATH
SECTION 139 OF CPC 1908
SECTION 297 OF CRPC 1973
DELHI HIGH COURT RULES 1967
PART-6, CHAPTER XVIII-227
EVIDENCE BY AFFIDAVIT BEFORE NOTARY
SUPREME COURT RULES, 2013
ORDER IX-7

ATTESTED

RAJENDRA KUMAR
NOTARY, DELHI-R-5780
GOVERNMENT OF INDIA
SUPREME COURT OF INDIA
COMPOUND, NEW DELHI
Register Pg./Sl. No. .....

PH. 9212491682
9899446209

08 JUL 2016

CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT EXECUTANT WHO IS SEEMED PERFECT TO UNDERSTAND & AFFIRMED DEPOSED BEFORE ME AT DELHI ON 08 JUL 2016 IDENTIFIED BY IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE

IDENTIFY THE EXECUTANT/ DEPONENET WHO WAS SIGNED IN THE PRESENCE

Annexure I

Ambient Air Quality Data of Lucknow, Varanasi, Kanpur and Allahabad of Uttar Pradesh April 2016

S.No.	Cities	Average Value ($\mu g/m^3$)		
		$PM10(\mu g/m^3)$	$SO_2(\mu g/m^3)$	$NO_2(\mu g/m^3)$
1	Lucknow	268.24	7.06	28.16
2	Kanpur	240.67	7.49	42.21
3	Varanasi	268.30	16.07	37.68
4	Allahabad	243.19	1.94	33.89
5	Hapur	299.39	22.80	19.20
	STANDARD	60	50	40

On perusal of the above data following are the conclusions:

1. The values of PM_{10} have found above the prescribe standards in all the cities. On the basis of PM10 value Hapur city has been found most polluted in April 2016.
2. The values of SO_2 have been found within the prescribed standards in all the cities in April 2016.
3. The values of NO_2 have been found below the prescribed limits in all the cities except Kanpur city.

30/5/16

30/5/16

30/5/16

M.S. Rao

T. C

Annexure 2

कार्यालय सम्भागीय परिवहन अधिकारी
गाजियाबाद

मा0 नेशनल ग्रीन ट्रिब्युनल (एन0जी0टी0) द्वारा दिनांक 31.05.2016 को एम0ए0 नं0 567/2016 में दिये गये निर्देश के क्रम में मोटर वाहन से सम्बन्धित बिन्दु संख्या 4,6,7 एवं 8 की सूचना

राज्य–उत्तर प्रदेश

S. NO.	CITY	POINT NO-4	POINT NO-6		POINT NO-7		POINT NO-8	
		Total Vehicle	Total Diesel Vehicle	Total Petrol Vehicle	Total Heavy Vehicle	Total LMV Vehicle	Total Two Wheeler	Total Three Wheeler
1-	LUCKNOW	1661434	156035	1505399	12962	306962	1335823	5687
2-	ALLAHABAD	878474	116023	762451	16401	116791	709752	18132
3-	VARANSI	790983	106399	684584	41686	85471	634492	29334
4	KANPUR	1006575	83295	870876	24090	162237	788801	13697
5-	HAPUR	56242	8574	47668	1202	10547	43841	652

सम्भागीय परिवहन अधिकारी
गाजियाबाद

T.C